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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,628	07/31/2001	Chien Teh Huang	MR1957-572	1548

4586 7590 01/22/2003

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EXAMINER

WEINHOLD, INGRID M

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 01/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/917,628

Applicant(s)

HUANG, CHIEN TEH

Examiner

Ingrid M Weinhold

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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3rd NON-FINAL ACTION

Due to new art being found, the previous allowable subject matter has now been rejected and this action remains non-final since new art is being introduced.

Claim Rejections - 35 USC § 103

Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whitchurch et al. (3,830,468) in view of Marshall (4,934,706). Whitchurch shows a holder body (32) having a screw hole thereon, a pipe cover (43) disposed at a top of the holder body and having a large diameter portion and a small diameter portion situated below the large diameter portion, wherein the small diameter portion is matched inside the top of the holder body and comprises an annular retaining groove (50). A fixing stud (52) screwed into the screw hole of the holder body, a first end of the stud being matched into the annular groove of the pipe cover. The pipe cover has an assembly hole (44) thereon, with a plate (48) being disposed above the holder body, a rod (46) fixedly disposed at a bottom of the plate, and the rod matched into the assembly hole. Whitchurch however does not show the second end of the fixing stud having a knurled circular turn knob. Knobs are well-known in the art and Marshall shows a fixing stud (20) with a circular knurled knob (21). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a circular knurled knob as taught by Marshall onto the stud by Whitchurch to facilitate turning of the stud.

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Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Whitchurch et al. (3,830,468) in view of Marshall (4,934,706) and further in view of Holzbach (3,027,140). Whitchurch and Marshall combined show all features claimed by the applicant's invention including the assembly hole (44) being a screw hole, the rod body (46) being a screw rod and the rod body being screwed into the assembly hole. Whitchurch and Marshall combined though do not show a screw nut on the rod body. Holzbach shows a rod body (5) with a screw nut (11). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a screw nut as taught by Holzbach on the rod by Whitchurch and Marshall combined to lock the rod in place. This is well-known in the art.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Whitchurch et al. (3,830,468) in view of Marshall (4,934,706) and further in view of Heath (5,947,424). Whitchurch and Marshall combined show all features claimed by the applicant's invention but do not however show a screw nut on the fixing stud. Putting a screw nut on a set screw, or fixing stud, is well-known in the art and Heath shows a set screw (22) with a nut keeping the screw locked in place. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a screw nut as taught by Heath on the fixing stud by Whitchurch and Marshall combined in order to keep the stud in a locked position.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ingrid Weinhold whose telephone number is (703)-306-5762.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie A. Braun can be reached on (703) 308-2156. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-3686 for informal documents, (703) 872-9326 for formal regular communication and (703) 872-9327 for After Final Communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

dw

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Technology Center 3600
Art Unit 3632



LESLIE A. BRAUN
SUPERVISORY PATENT EXAMINER